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1938

REMOTE STORAGE
ARIZONA

Game and Fish Laws

AND

Commission's Orders



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ARIZONA GAME AND FISH
COMMISSION

Revised to December 1, 1939

ARIZONA

Game and Fish

Laws

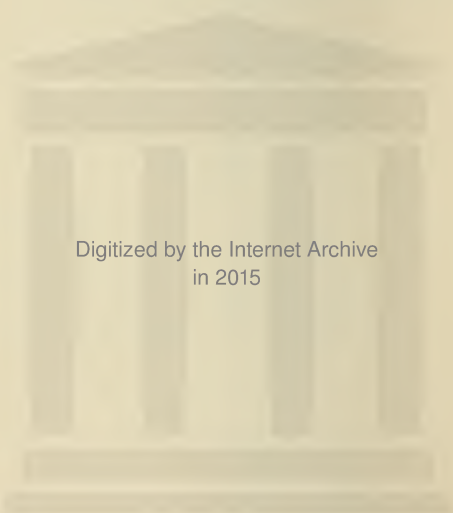
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ARIZONA GAME AND FISH
COMMISSION

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Game Warden, Phoenix



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ARIZONA GAME LAWS REMOTE STORAGE

SPORTSMEN and others desirous of aiding the work of enforcing the Game and Fish Laws in Arizona are urgently requested to send particulars of such cases of violation of the laws as may come under their notice to the State Game Warden.

PLEASE NOTE

It is the duty of the State Game Department to enforce the Game and Fish Laws of Arizona. In the exercise of this duty the Department seeks the cooperation and support of all lovers of nature in the State, not only from them as individuals but also from their organizations. The Department is supported by the license fees paid in by the sportsmen of the State and has no other source of income. Whatever funds can be spared from the enforcement activities of this Department are used for conservation and propagation purposes. By keeping within the law the individual lessens the need for enforcement expense, and by assisting the Department in apprehending those who refuse to obey the law he lends himself to the same end. This is your Department; cooperate with it as it stands ready to do with you, and we will all have better hunting and fishing.

IMPORTANT

OPEN SEASONS AND BAG LIMITS

Revised to Dec. 1, 1939

The Arizona Game and Fish Commission has authority under Section 4 to close, shorten or alter the open seasons or bag limits.

The following is a correct summary of seasons, bag limits and miscellaneous regulations, as of Dec. 1, 1939. This takes precedence over any information on seasons and bag limits contained in the Game and Fish Laws.

OPEN SEASON

Where any variance occurs between the regulations listed herein and those set out in the State Code, this summary supersedes by reason of the fact that the Arizona Game and Fish Commission has the power to regulate and change seasons and bag limits.

One Deer with pronged antlers may be taken from October 16 to November 15, inclusive, with a rifle only; bullet weight not less than 87 grains. **

One Grown Bear may be taken from October 16 to November 15, inclusive, with rifle only; bullet weight not less than 87 grains. Dogs may be used in taking bear. * *

Two Turkeys may be taken from October 16 to November 15, inclusive, WITH A RIFLE ONLY, except that bow and arrow may be used in limited area prescribed by Commission. Wild tur-

keys are classed as big game in Arizona. Illegal to take turkeys in any part of YAVAPAI COUNTY or in COCONINO COUNTY north of Highway 66 between old Grand Canyon road, running north from Bellmont, and Highway 89. * *

**** Illegal to take Blacktail or Mule Deer, Bear and Turkey south of the following described boundary:**

Beginning at the New Mexico-Arizona State Line; thence following the Gila River to Coolidge Dam; thence along U. S. Highway 70 to Superior; thence south along the Superior-Kelvin Road to the Gila River; thence following the Gila River to the Arizona-California State Line.

Special Permit Elk Season - November 18th to December 10th, inclusive. Resident permit, \$15; Non-resident Permit, \$25. Detailed information available by writing State Game Department.

Bear, Deer and Turkey may be taken during the 1939 season with Bow and Arrow in that portion of Gila County bounded on the north by the Mogollon Rim Road; on the west by the Pleasant Valley Highway; on the south by the Salt River; and on the east by the Fort Apache Indian Reservation. Detailed information available by writing to State Game Department.

Quail—November 1 to November 15 inclusive. Bag limit, 10 per day or in possession.

Cottontail Rabbits—November 1 to January 31, inclusive, in Apache, Navajo, Coconino and Yavapai Counties; rest of state, season open all year. Bag limit, entire state, 6 per day or in possession.

Jackrabbits—No closed season. No bag limit.

Muskrats, Raccoons and Opossums, November 1 to March 1.

Closed Season on following species:

Antelope	Chukar partridge
Spike bucks	Pheasants
Female deer	Mearns or fool quail
Big horn sheep	Masked bob white
Javelina	Song and insectivorous birds
Bear cubs	Bullfrogs
Tree squirrels	Otter
Grouse	Beaver

MIGRATORY BIRDS

White-Winged Dove, Mourning Dove, Band-Tailed Pigeon, and Waterfowl seasons set each year by Federal Government.

FISHING REGULATIONS

Trout of all species may be taken from May 27 to September 20, inclusive, **Except** Trout season Cochise County shall be April 1st to July 31st, 1939, inclusive. **ALL TROUT CAUGHT**, regardless of length, must be kept by the fisherman and counted as part of his bag limit. **BAG LIMIT**, 15 fish, providing total weight is not more than 10 pounds and one fish per day or in possession. **SPECIAL BAG LIMIT**

on trout in Oak Creek and Grand Canyon National Park, 10 per day or in possession. Not over 60 trout may be taken in any seven day period. Fishing for trout prohibited from 9:00 p. m. to 4:00 a. m.

Bass may be taken all year. Bag limit, 10 fish, providing total weight is not more than 15 pounds and one fish per day or in possession. **LEGAL LENGTH, 10 INCHES.**

Channel Catfish may be taken all year. Bag limit 10 fish, providing total weight is not more than 15 pounds and one fish per day or in possession. **LEGAL LENGTH, 12 INCHES.**

Crappie, Blue Gills, Bream, Sunfish (Perch), Stripped Bass and Bullheads or Mudcats may be taken all year. Bag limits, 20 in the aggregate not to exceed 20 pounds and one fish per day or in possession.

No Bag Limit or closed season on **CARP, SUCKERS, RING PERCH OR CHARRS**, Commonly called Verde trout.

No Fishing Allowed:

In Salt River from Cibicue Creek to place where Salt River empties into Roosevelt Lake.

Within 100 yards below Horse Mesa, Mormon Flat, and Roosevelt Dams.

From Stewart Mountain Dam to Blue Point Bridge on the Salt River.

Within 100 yards above or one mile below Coolidge Dam.

In San Francisco River from its junction with Blue River down to its junction with Gila River.

Live Bait may not be used in any lake in Coconino County, nor in the Agua Fria River, either above or below CARL PLEASANT DAM. Prohibition of live bait intended to prevent introduction of undesirable fish in certain waters.

No Fishing allowed in waters containing protected trout except during trout season.

Fish may be legally taken ONLY with hook and line HELD IN HAND, or attached to rod or pole HELD IN HAND.

Seining non-game minnows for personal use legal ONLY WITH PERMIT.

Fishing Waters are subject to annual change. Familiarize yourself with the current regulations.

GENERAL REGULATIONS

A Valid License is necessary for any person to take any fish, game or birds in this state.

All Birds may be taken with a shotgun only, not larger than No. 12 gauge, except that in

taking MIGRATORY BIRDS, repeating or automatic shotguns must be plugged to a limit of three shells; meaning two in the magazine and one in the barrel. (Turkey to be taken with rifle only.)

Deer Tags and Turkey Stubs MUST BE ATTACHED to the antlers of deer and feet of turkeys **IMMEDIATELY** when killed to avoid penalty; required stubs **MUST** be mailed to State Game Warden.

No Shooting on, from or across any public highway,—or from any automobile or power boat.

One Day's bag limit of game birds, game animals or fish may be possessed for 20 days after the end of the open season thereon, **EXCEPT** that two days bag limit of migratory birds may be possessed for not more than **TEN DAYS** after the closing date of the season.

No Hunting allowed on game refuges.

Illegal to hunt or fish with the use of an artificial light.

Illegal to use shotgun larger than 12 gauge.

Illegal to ship game or fish without shipping permit.

Illegal to carry gun on refuge except under permit.

Illegal to use silencing device on any firearm.

Illegal to fail to report game law violations.

Illegal to shoot within one-eighth mile of house or building without permission of owner or resident.

Illegal to remove evidence of sex or legality from game animals or birds.

Illegal to take game animals or birds with metal-cased bullet.

Illegal to act as guide for hunters without first obtaining GUIDE LICENSE.

Illegal for guides to carry guns while guiding hunters.

Illegal to take or run any big game animal EXCEPT BEAR with the aid of dogs.

Illegal to dynamite, poison or pollute waters in any manner which endangers the lives of fish.

Illegal to buy, sell or offer for sale any game animal, bird or game fish.

Take Only Your Share of the Game—Your license does not permit you to shoot or fish for another.

Licenses of convicted game law violators can be revoked by the Commission at their discretion for periods of from one to ten years.

ARIZONA GAME REFUGES

REFUGE	COUNTY
Alamo.....	Gila
American Ranch.....	Yavapai
Apache Lake.....	Maricopa
Arivaipa	Graham
Ash Creek	Yavapai
Baboquivari	Pima
Banfield Springs	Coconino
Big Lake	Apache
Blue Hill	Gila
Boulder Canyon	Mohave
Brushy	Navajo
Burnt Ranch	Yavapai
Bush Highway	Maricopa
Cabin Draw	Coconino
Cahava	Maricopa
Camelback	Maricopa
Chiricahua	Cochise
Coconino Turkey	Coconino
Coon Bluff	Maricopa
Copper Basin	Yavapai
Cottonwood	Gila
Cottonwood Canyon	Yavapai
Desert Wells	Maricopa
Eagle Creek	Greenlee
El Dorado	Cochise

Escudilla	Apache
Fish Creek	Maricopa
Gentry	Navajo
Granite Basin	Yavapai
Harquahala	Maricopa
House Rock Valley	Coconino
Horse Thief Basin	Yavapai
Huachuca	Cochise
Hull Tank	Coconino
Indian Garden	Gila
Jones Mountain	Coconino
Kaibab	Coconino
Lime Creek	Yavapai
Long Valley	Gila
Los Burros	Apache
Mahan Mountain	Coconino
Marijilda	Graham
Mayer	Yavapai
Miami	Gila
Middle Mountain	Apache
Mingus Mountain	Yavapai
Mormon Mountain	Coconino
Mt. Fagan	Pima
Mt. Graham	Graham
Mt. Trumbull	Mohave
Munds Park	Coconino
Oracle	Pinal
Papago Park	Maricopa
Phoenix South Mountain	Maricopa

Picket Post	Pinal
Pinal	Gila
Pinto Creek No. 1	Gila
Pinto Creek No. 2	Gila
Quail Springs	Yavapai
Rambo Wash	Gila
Rock Springs	Yavapai & Maricopa
Ruby	Santa Cruz
Roosevelt Lake	Gila
San Francisco Peak	Coconino
San Rafael	Santa Cruz
Santa Catalina	Pima
Santa Rita	Pima
Seven Springs	Maricopa & Yavapai
Sheep Trail	Gila
Tucson Mountain	Pima
Tuscumbia	Yavapai
Walker Creek	Yavapai
Wallapai	Mohave
Walnut Creek	Yavapai
Walnut Creek Area	Yavapai
Water Canyon	Apache
Wickenburg	Maricopa
Wilbur Canyon	Coconino
Williams	Coconino
Winslow	Navajo
Wood Camp	Gila

TURKEY REFUGES

Water holes and springs closed within 200 yards to campers and shooting.

Bar D Tank.....	Coconino
Barney Springs.....	Coconino
Coconino (N. of Hwy. 66).....	Coconino
Kelsey Springs.....	Coconino
Lockwood Springs.....	Coconino
Mahan Mt.....	Coconino
New Tank.....	Coconino
Sheep Springs.....	Coconino

Hunting upon State or National Game Refuges forbidden, but fishing is allowed.

Closed fishing waters are plainly posted.

Shooting upon, from or across any public highway prohibited.

ARIZONA GAME AND FISH LAWS**CHAPTER 84**

Session Laws 1929

As amended

Section 1

DEFINITIONS

Terms as used here shall mean: To "Take" birds, animals, or fish, or birds' nests or eggs, or spawn or eggs of fish, shall mean the pur-

suit, hunting, capture, or killing of birds, animals, or fish, or collection of birds, nests or eggs, or spawn or eggs of fish, and shall include pursuing, shooting, hunting, killing, capturing, taking, snaring, netting, and all lesser acts, such as disturbing or annoying, or placing or using any net or other device. "Trap or trapping" shall mean taking in any manner except with gun or implement in hand. "Angling" is the taking of fish by hook and line in hand or rod in hand. "Open season" is the time during which birds, animals or fish may be lawfully taken, and includes the first and last days thereof. "Closed season" is the time during which birds, animals, or fish may not be taken. "Game" includes game animals, game birds and game fish. "Game animals" are: Deer, elk, antelope, mountain sheep, buffalo, peccary or javelina tree squirrels, rabbits and bears of all kinds. "Big game" are: Wild turkey, deer, elk, antelope, mountain sheep, buffalo, peccary or javelina and bear. "Small game" are game birds of all kinds except wild turkey and all game animals not listed as big game. "Fur bearing animals" are: Muskrats, raccoons, opossums, otters, mink, martens, beavers, badgers, and ringtail cats. "Predatory animals" are: Foxes, skunks,

mountain lions, coyotes, wolves, jaguars, weasels, bobcats, lynxcats, and ocelots. "Non-game animals" are all wild animals except game animals, fur bearing animals and predatory animals. "Upland game Birds" are: Quail, partridge, wild turkey, grouse, pheasants. "Migratory game birds" are: Anatidae or water fowl, including brant, wild ducks, geese and swans, gruidae or cranes, including little brown and sand hill and whooping cranes, rallidae or rails, including coots, gallinules and sora and other rails, limicolae or shore birds, including avocets, curlews, dowitchers, godwits, white-winged doves and mourning doves, knots, oyster catchers, pararopes, plovers, sandpipers, snipes, stilts, surf birds, turnstones, willets and yellow-legs; and columbidae, or pigeons, including doves and wild pigeons. "Non-game birds" are: All wild birds except upland game birds and migratory game birds. "Game fish" are: Trout of all species, including charrs, small and large mouthed black bass, crappie, yellow perch and cat fish; and the wild bullfrog. "Non-game fish" are: All the species of fish except game fish. (Am. Ch. 93, L. '33). ['36 Supplement § 1530]

Section 2

ARIZONA GAME AND FISH COMMISSION

The affairs of the state relating to fish and game shall be administered by the Arizona Game and Fish Commission, hereinafter referred to as the commission. The commission shall consist of three members, not more than two of whom shall be of the same political party. The members shall be appointed by the governor within thirty days from the time this act shall take effect; the first, second and third members of the commission shall serve respectively until the first Mondays in January of 1931, 1933 and 1935. Their successors shall be appointed to serve for the term of six years. The commission shall elect one of its members chairman of the commission for the term of two years. The governor may, after hearing, remove a commissioner for inefficiency, neglect of duty or misconduct in office; if removed, the governor shall file in the office of the secretary of state a complete statement of all charges made against such commissioner and his findings thereon, together with a complete record of the proceedings. No person shall be appointed a member of the commission, unless he

shall be well informed on the subject of wild life, and the requirements for the conservation of animals, birds and fish.

The members of the commission shall each receive a yearly salary of one dollar and all actual and necessary traveling and other expenses, not exceeding one thousand dollars in any one calendar year, each, incurred or made by him in the discharge of his official duties, to be paid monthly from the game and fish protection fund. Each commissioner shall give bond to the state in the sum of five thousand dollars, conditioned for the faithful performance of his duties, the premium therefor to be paid from the state game and fish protection fund. ['36 Supplement § 1531]

Section 3

OFFICE AND PLACE OF HEARING

The commission shall have its principal office at the state capitol, but meetings of the commission may be held at any time or place within the state. Any investigation, inquiry or hearing which the commission may undertake or hold may be undertaken or held by or before any commissioner or the secretary of the com-

mission, and the same shall be deemed to be the investigations, inquiries, hearings and decisions of the commission, when approved by it and entered by it in its minute book, and every order made by a commissioner or the secretary of the commission, when approved and confirmed by the commission and ordered filed in its office, shall be deemed to be the order of the commission. ['36 Supplement § 1532]

Section 4

GENERAL POWERS AND DUTIES OF COMMISSION

The commission shall meet at the capitol within thirty days after this act takes effect and organize, and thereafter at least one meeting shall be held annually; other meetings may be held at the call of the chairman or a majority of the commission. The commission shall make such rules and regulations and establish such services as it may deem necessary to carry out the provisions and purposes of this act.

The commission shall have charge, control and management of the propagation and distribution of wild birds, wild animals, and fish. It shall have the conduct and control of all hatch-

ing stations and game farms owned, operated, or hereafter acquired by the state, may issue permits and licenses to persons to operate game farms and fish hatcheries, regulate the same and revoke such permits or licenses for non-compliance with its orders. It shall have charge of the enforcement of all laws for the protection of wild birds, wild animals and fish. It shall have the exclusive power to expend for the protection, preservation, or propagation of game birds, game animals, and fish, all funds of the state acquired for the protection, preservation, or propagation of birds, animals, or fish, arising from appropriations, licenses, gifts, or other sources. It may in the name of the state, with the approval of the governor, acquire by purchase, gift, or condemnation, lands and water for the use as fish hatcheries or game farms, and areas suitable for game refuges, hunting ground, or for any other purpose necessary to carry out the provisions of this act. It may purchase animals, birds, and fish and fish spawn or eggs for the purpose of stocking public lands and waters of the state, and sell fish and fingerlings to stock private waters, and may take at any time in any manner, animals, birds' eggs, fish and eggs and milt of fish for

propagation and re-stocking purposes, or for use at a state game farm or fish hatchery.

The commission may by order close, shorten, or alter the open season or bag limits, prescribed by this act for any species of game animal, game bird, or game fish whenever it has good reason to believe that such species of animal, bird or fish is threatened by depletion or requires additional or other protection than that specifically afforded by the provisions of this act; such order may be made to apply throughout the state, or to a particular part thereof, or to a particular stream or lake or part thereof. The commission may establish and open refuges and safe sanctuaries in which game, fur bearing animals and birds may breed and replenish adjacent areas, and may designate certain areas as rest grounds, for migratory birds in which hunting shall be forbidden or restricted at such times as the commission may designate, endeavoring as much as possible to establish small refuges rather than large preserves, not to close large areas to hunting, nor to interfere unnecessarily with the hunting of migratory birds, but to provide havens in which they can rest and feed without molestation. The preced-

ing sentence shall not apply to the Blue Range game preserve until two years after the effective date of this act. The commission may remove or permit to be removed from public or private waters fish which hinder or prevent the propagation of game or food fish, and fish so taken may be disposed of in such manner as it may designate.

No person shall plant any game fish or other fish, fish fry, or spawn in any of the bodies of water in the state, nor introduce nor liberate any game birds or game animals, or any other wild animals, on the lands or in the coverts of the state without the written consent of the commission. The commission may enter into cooperative agreement with any federal department having jurisdiction over any federally controlled game refuges in Arizona, in carrying out such rules and regulations as may be established by such department for the protection and perpetuation of game animals thereon, or for the disposition of surplus game animals therefrom, and it shall be lawful to possess, or remove from the state any animals killed or captured in compliance with such agreement or regulation, when such animals are

tagged or marked as to establish their identity as animals taken on such federal land.

When it is proven to the satisfaction of the commission that game birds or game animals or furbearing animals are materially destroying property, or otherwise becoming a nuisance, or the sexes are not balanced properly, or the natural food supply is insufficient or that hunting or trapping in addition to the regular open season, provided by this and other acts heretofore, may be permitted without jeopardizing the future supply of game or furbearing animals of any kind in any section of the state, the commission may at any time remove or have removed such animals or birds from that section, or may direct or authorize the taking of such birds or animals, or grant an extension of the open season, or permit additional hunting or trapping, under such rules governing seasons, bag limits, methods of taking and other regulations as the case may require, regardless of protection afforded or open seasons or bag limits fixed by this and other acts heretofore. (Am. Ch. 97, L. '31; Am. Ch. 93, L. '33.) ['36 Supplement § 1533.]

Section 5

PUBLICATION OF ORDERS AND REGULATIONS OF COMMISSION; SIGNBOARDS OR REFUGES; POSTED LANDS

Rules, regulations, and orders of the commission having general application throughout the state shall be published in such manner as the commission may determine so as to give them general publicity; those of special character having local application only shall be published once in some newspaper published in and having general circulation in the locality wherein such rules, regulations, and orders are applicable and a copy of such rules, regulations, and orders shall be posted in three regulations, and orders shall be posted in three conspicuous places in the locality in which they are applicable. Notices or signboards not less than one foot square shall be conspicuously posted by the commission close to and along the entire boundary of any refuge, sanctuary, rest ground, lake or stream or portion thereof closed to hunting or fishing by orders of the commission, warning all persons against hunting, fishing, or trespassing therein. As many of such notices or signboards shall be posted as

the commission may determine to be best calculated to give public notice of the location of the boundaries of such refuge, sanctuary, rest ground or other closed area. An order of the commission closing any area to hunting or fishing shall not become effective until such order has been published as herein required, and a certified copy of the order filed in the office of the recorder of the county or counties in which such closed area is located.

No person shall take or destroy any animal, bird, or fish, or bird's nest or egg, or eggs or spawn of fish on any refuge, sanctuary, rest ground, or other area closed to hunting or fishing by order of the commission; provided, it shall be lawful for a duly accredited employee of the state, or of the federal government^t, to take predatory animals or rodents on any such closed area.

It shall be unlawful to carry firearms on any refuge, sanctuary, or rest ground closed to hunting by order of the commission except under seal, or by written consent, of the commission or except while in transit on such highway or highways as may traverse such area; but this shall not prohibit real property owners

residing permanently on any refuge, sanctuary, or rest ground, nor cattle or sheep owners, or their employees whose range is on any refuge, sanctuary or rest ground from possessing firearms thereon, nor shall it apply to areas on which certain game animals or game fish or game birds are allowed lawfully to be taken. Landowners desiring to prohibit hunting or shooting on their lands shall post such lands, using a notice or signboard not less than one foot square with the wording of the same plainly legible. Such notices or signboards shall be placed in such manner as to be most conspicuous and at not more than quarter-mile intervals. State lands under lease may not be posted except by consent of the commission. (Am. Ch. 97, L. '31; Am. Ch. 93, L. '33) ['36 Supplement § 1534]

Section 6

STATE GAME AND FISH WARDEN SALARY

The commission shall appoint a state game and fish warden who shall possess a thorough knowledge of animals, birds and fish, and the requirements for their conservation. The state

game and fish warden shall act as secretary to the commission and shall serve for a term of four years, unless removed by the commission, after hearing, for inefficiency, neglect of duty or misconduct in office. If removed, the commission shall file in the office of the secretary of state a complete statement of all charges made against him and its findings thereon, together with a complete record of the proceedings. The state game and fish warden shall not hold any other office, and shall devote his entire time to the duties of his office. The state game and fish warden shall receive an annual salary as fixed by the commission, not exceeding thirty-six hundred dollars, his actual necessary travel and other expenses and disbursements, not exceeding twelve hundred dollars in any one calendar year, to be paid from the game and fish protection fund. ['36 Supplement § 1535.]

Section 7

DEPUTY WARDENS; SALARY

The state game and fish warden may appoint, with the approval of the commission, deputy wardens, for the payment of whose salary money is available in the game and fish pro-

tection fund. The deputies shall be located in the different sections of the state where their services are most needed. The commission shall fix the salaries of the deputy wardens, provided however, that they shall not receive more than one hundred eighty dollars per month during their first two years of service, nor more than two hundred dollars per month for their second to fourth years, no more than two hundred twenty dollars for their fourth to sixth years in the department, and special deputies shall receive not more than one hundred fifty dollars per month; provided further that they shall be paid their actual and necessary traveling expenses incurred in the performance of their duties, not exceeding sixty dollars during any one month. The salaries and expenses of the deputies shall be paid out of the game and fish protection fund. [’36 Supplement § 1536.]

Section 8

POLITICAL ACTIVITY PROHIBITED

The state game and fish warden or a paid deputy warden shall not take any active part other than to privately express his opinions in any political campaign, or use his office or in-

fluence in interfering with an election or affecting the results thereof. ['36 Supplement § 1537.]

Section 9

BOND OF WARDEN AND DEPUTIES

The State game and fish warden shall give to the state a bond in the sum of ten thousand dollars, and each deputy, except special deputies serving without pay, shall give to the state a bond in the sum of one thousand dollars, conditioned for the faithful performance of their duties; the premium therefor to be paid out of the state game and fish protection fund. ['36 Supplement § 1538]

Section 10

DUTIES AND POWERS OF WARDEN AND DEPUTIES

The state game and fish warden shall have general supervision and control of all deputy wardens and under the supervision and direction of the commission enforce all provisions of this act. The state game and fish warden and his deputies may execute all warrants issued for a violation of this act; serve subpoenas issued in any matter arising under this act; and any

deputy warden, except peace officers, may search without warrant where he has reasonable cause to believe that animals, birds, or fish, or any part thereof, or the nests or eggs of birds, or spawn or eggs of fish, are possessed in violation of law, and in such case examine without warrant, the contents of any aircraft, boat, vehicle, box, locker, basket, crate, game bag or other package, and tent or building, other than a dwelling house, to ascertain whether any of the provisions of this act have been or are being violated; seize all animals, birds, or fish, or parts thereof, or nests or eggs or birds taken or possessed in violation of law, or showing evidence of illegal taking, and seize and confiscate all devices illegally used in taking animals, birds, or fish and firearms illegally possessed and to hold the same subject to the order of the commission; and generally exercise the powers of peace officers in the enforcement of this act. [’36 Supplement § 1539.]

Section 11

APPLICATION TO FISH OR GAME TAKEN WITHOUT THE STATE

Where the possession, transportation, purchase, or sale of any wild animal, wild bird, or

fish, or any part thereof, is restricted or unlawful, the possession, transportation, purchase, or sale of such animal, bird or fish, or any part thereof coming from or taken without the state, whether belonging to the same or a different species from that native to this state, but belonging to the same family as those protected by this act, is, unless otherwise herein provided, unlawful. ['36 Supplement § 1540.]

Section 12

TAKING LIMIT; POSSESSION, SALE AND TRANSPORTATION RESTRICTED; HUNTING WITH DOGS PROHIBITED

No person shall take any wild bird, wild animal, or fish, or the nest or egg of any wild bird, or the spawn or eggs of fish, or possess, buy, sell, offer or expose for sale, or transport, or receive from another, any such bird, animal, or fish, or part thereof, or any bird's nest or egg, or any spawn or eggs of fish, except as expressly permitted by this act. The possession of any game animal, game bird, or game fish, or part thereof, in any hotel, restaurant, cafe, market or store, shall be prima facie evidence of the possession thereof for the purpose of sale

in violation of this act, but this provision shall not prohibit a person lawfully obtaining such game animal, game bird, or game fish from having it prepared in a public eating place and served to himself and guests or placed in storage, during the respective open seasons therefor and twenty days immediately thereafter. Any person may have in his possession not more than twenty-five pounds of dried meat of game animals lawfully killed. No person shall take or run, with the aid of a dog or dogs, any game animal except bear. Any act committed or done by a dog or dogs in running a game animal shall be deemed a violation of this section, for which the owner of the dog shall be liable. (Am. Ch. 44 L. '35.) ['36 Supplement § 1541.]

Section 13

MANNER OF TAKING SMALL GAME ANIMALS, BIRDS AND FISH

Small game animals and game birds shall be taken only in day time between one half hour before sunrise and before sunset, with a gun not larger than No. 12 gauge, unless otherwise herein specifically permitted, except that game animals may also be taken with a rifle, without

using steel or hard-point bullet. No person shall take any game animal, game bird, or game fish, by the aid or with the use of any jack-light, or other artificial light, net, trap, snare, saltlick, scaffold, deadfall, pit, explosive, bird lime or poison, nor shall any person use part of any protected bird, game animal, or fish as bait in taking any wild animal; nor shall birds or animals be taken from any vehicle, automobile, aircraft, powerboat, sailboat, and boat under sail, or any floating device towed by power boat or sailboat; nor shall any person shoot any firearm upon, from or across any public highway or railway. A person may take game animals and game birds during the open season therefor from blinds, and with the aid of dogs and use of decoys, unless specifically prohibited herein. Fish may be taken only by angling.

No person shall bait waters for the purpose of entrapping migratory water fowl. (Am. Ch. 93, L. '33) ['36 Supplement § 1542.]

Section 14

**SILENCER ON FIREARMS PROHIBITED,
SINGLE CHARGE; RIFLES OF CERTAIN
CALIBRE PROHIBITED; CONFISCATION**

It shall be unlawful for any person to take

into the field or forest, or to have in his possession, while hunting wild animals or birds, any device designed to silence, muffle or minimize the report of any firearm, whether separated from or attached to such firearm. It shall be unlawful to kill or attempt to kill any deer, bear, peccary or javelina except through the use of a gun propelling one ball or bullet at a single charge. Provided, however, that no ball or bullet weighing less than 87 grains may be used in taking deer, elk, antelope, mountain sheep, peccary or javelina, or bears at any time. The gun or implement used by any person in illegally killing any song or insectivorous bird is a nuisance and may be seized by any peace officer and confiscated by the warden for not more than one year. (Am. Ch. 93, L. '33.) ['36 Supplement § 1543]

Section 15

INDIANS PROHIBITED FROM HUNTING OR FISHING

It shall be unlawful for any Indian, who is a ward of the Federal Government, to take game or fish in this State when off the government reservation to which he has been assigned, and

no license shall be sold to any such Indian. (Am. Ch. 44 L. '35). ['36 Supplement § 1544] (Declared unconstitutional by Arizona Supreme Court in case of Cecil Begay vs. W. H. Sawtelle.)

Section 16

TRANSPORTATION OF GAME OR FUR-BEARING ANIMALS, BIRDS, OR FISH BY COMMON CARRIER

No common carrier shall transport any game animal, fur bearing animal, game bird, or game fish, or any part thereof, or the nest or egg of any bird, or receive or possess the same for transport, unless the person offering the same for shipment exhibits to the carrier, a valid license for the taking of the thing offered for shipment, and has securely attached to it a valid shipping permit issued hereunder, or a coupon detached from such permit. Specimens for scientific purposes taken or possessed under a regularly issued permit for the collection and possession of wild animals, wild birds, their nests or eggs, may be received and transported to points within or without this state when the words "specimens for scientific purposes", are indorsed on such shipment, and a scientific per-

mit is exhibited to the carrier at the time the package is offered for shipment. ['36 Supplement § 1545]

Section 17

RESTRICTIONS ON TRANSPORTATION AND IMPORTATION

A resident of this State may transport within the state, during the open season therefor, animals, birds and fish lawfully taken. A non-resident of the state and a holder of a valid non-resident hunting, trapping or fishing license, may, under a permit issued by the commission, transport within the state, or from a point within to a point without the state, otherwise than by parcel post, during the open season therefor, animals, birds and fish lawfully taken by him, or parts thereof; but he shall not transport out of the state more than one male deer and two wild turkeys, or more than one day's bag limit in any one calendar week, of other game animals, game birds or game fish. A person lawfully taking game animals, birds, or fish without the state may transport the same or parts thereof into the state, other than by parcel post, during the open season therefor in the state or country where taken and within five

days thereafter if lawfully brought from the place where taken and the package containing them has attached thereto, a shipping permit issued by the commission. Game animals, birds, or fish so imported may be possessed at any time, but migratory game birds brought into this state may be possessed only in accordance act and regulations thereunder. Transportation with the United States migratory bird treaty commenced during the open season may be completed within five days succeeding such open season. Fur or fur bearing animals, except beaver, if lawfully taken, and predatory animals, non-game animals, non-game fish and birds for which no closed season is provided may be possessed or transported at any time. ['36 Supplement § 1546.]

Section 18

TRANSPORTATION, SALE AND POSSESSION OF SPECIMENS

A person may transport and possess at any time and in any manner the heads, antlers, hides, feet or skin of game animals, game birds, or game fish, lawfully taken, and buy and sell mounted specimens of the same, and the skins of game birds and game fish lawfully taken and

possessed, provided the person selling such specimens has a written permit, issued by the commission, authorizing him to do so, but the skins of migratory game birds may be sold or transported only in accordance with the United States migratory bird treaty act and regulations thereunder. ['36 Supplement § 1547.]

Section 19

POSSESSION OF GAME ANIMALS, BIRDS AND FISH

Game animals, game birds and game fish lawfully taken, and parts thereof, may be possessed during the open season therefor and the first twenty days next succeeding the close of such open season, but a person may not have in possession at any time more than one male deer, two wild turkeys, and one day's bag limit of other game animals, game birds and game fish. (Am. Ch. 44, L. '35). ['36 Supplement § 1548.]

Section 20

MARKING PACKAGES FOR TRANSPORTATION

Any package in which any game animal, game bird or game fish, or part thereof, or egg or

nest of any wild bird, non-game animal, fish or bird, or fur bearing animal, is transported shall have clearly and conspicuously marked on the outside thereof, the names and addresses of the consignor and the consignee together with an accurate statement of its contents, and the number of the shipping permit where such permit is required. ['36 Supplement § 1549.]

Section 21

SALE OF IMPORTED PLUMAGE PROHIBITED

No person shall purchase, offer to purchase, sell, offer to sell, expose for sale, or have in possession for sale, any bird of paradise, egret, or goura pigeon or any feather or any part thereof, except when bought, sold or possessed for scientific purposes, under a permit issued pursuant to this act. ['36 Supplement § 1550.]

Section 22

TRAPPERS

It shall be unlawful for any person over the age of fifteen years to trap for fur-bearing and predatory animals in this state, unless such person shall first have obtained a state trapper's

license. It shall be unlawful for any alien to trap within the state. Every trapper shall keep an accurate register of his catches, and he shall make a report of the same for the preceding year to the State game and fish commission not later than January tenth of each year. Each trap shall carry a metal tag with the current license number of the owner securely attached thereto. Daily inspection must be made of traps when in use. The traps of any person trapping without a license off his own lands shall be seized by the State game and fish warden or his deputies and may be sold and the money derived from such sale shall be deposited in the state game and fish protection fund. ['36 Supplement § 1551.]

Section 23

LICENSE FEES

Licenses shall be divided into classes and fees paid therefor as follows: Class "A", resident general hunting and fishing license, three dollars and fifty cents; Class "B", resident general hunting license, two dollars and fifty cents; Class "B-1", resident fishing license, one dollar and seventy-five cents; Class "C", non-resident general hunting and fishing license, twenty-

five dollars; Class "D", non-resident fish and small game license, ten dollars; Class "E", non-resident fishing license, three dollars; Class "F", non-resident trapping license, twenty-five dollars; Class "G", alien general hunting and fishing license, seventy-five dollars; Class "H", alien fish and small game license, thirty dollars; class "I", special license, alien applicant for citizenship, for general hunting, twenty-five dollars; Class "J", special license, alien applicant for citizenship, fishing and small game, ten dollars. Classes "A", "C", "G" and "I" include all varieties of fish and game; classes "D", "H" and "J" include all fish and small game; class "E", includes all kinds of fish that may be taken under this act. An alien applicant for citizenship may not receive during the pendency of his application more than two class "I" or "J" licenses. A resident for the purpose of this act is defined to be a citizen of the United States who has resided in this State for one year immediately preceding application for license. A complimentary license may be issued by the commission to a pioneer seventy years of age or older who has been a resident of this state for twenty-five or more consecutive years. If any alien obtains a resident or

non-resident license by fraudulent misrepresentation, or if any non-resident obtains a resident license by fraudulent misrepresentation, such license so fraudulently obtained shall be void and of no effect from the date of issuance thereof, and such alien or non-resident who shall hunt, fish or take any game animal, bird, or fish while holding such void license shall be guilty of so doing without a license. (Am. Ch. 97, L. '31; Ch. 93, L. '33; and Ch. 44, L. '35). ['36 Supplement § 1552.]

Section 24

DISPOSITION OF FEES

The officer issuing the license shall on the first Tuesday of each month, transmit to the commission, all license fees, with a statement setting forth the name and residence of each licensee, the serial number and class of and the amount paid for each license issued. The officers other than the state game and fish warden issuing the license, shall retain as his compensation, five per cent of all license fees collected. (Am. Ch. 44, L. '35). ['36 Supplement § 1553.]

Section 25**FORM AND CONTENTS OF LICENSE;
SHIPPING COUPONS; EXHIBITING
LICENSE; MINORS**

The form of license shall be determined and the license blanks prepared by the commission and by it furnished and charged to the person authorized to issue licenses. Each license shall be accompanied by a shipping permit, authorizing the licensee to ship either within or out of the state not to exceed one day's bag limit of game or fish, which permit or coupon thereof must be attached to the shipment. If a resident desires, and is entitled to make an additional shipment within the state; or a non-resident desires, and is entitled to make an additional shipment either within or out of the state, he shall first secure from the commission, an additional permit authorizing the shipment, which permit shall be attached to the shipment. The commission shall provide the state game and fish warden and his deputies with coupon or shipping permit blanks, which shall be issued by them, in accordance with the provisions of this section, upon payment of a fee of twenty-five cents each. The license shall be issued in

the name of the commission, sealed with its seal and countersigned by the officer issuing the same. Each license shall be signed by the licensee in ink on the face thereof and there shall be issued with each license authorizing the killing or taking of deer or wild turkeys, suitable blank forms for attaching to any deer or wild turkey when killed or taken, and for reporting the same to the state game warden. It shall be unlawful for any person to have in his possession a deer or turkey unless tagged with the blank form hereinbefore provided, which said blank form must be detached from the license and attached to the horns of the said deer or the feet of the said turkey immediately upon killing of such game and remain thereon during the balance of the year for which said hunting license shall have been issued. All persons killing or taking any deer or wild turkey shall immediately thereafter make report thereof on such forms to the state game warden and failure to do so shall be unlawful. Each license shall be void after December 31st next succeeding its issuance. No person shall take fish, birds, or animals in this state, unless, at the time of such taking, he

shall have such license on his person and shall exhibit the same upon request for inspection to any person. It shall not be unlawful for a resident of this state under the age of sixteen years to fish during open season, and when accompanied by a person holding a valid license, to take small game during open season, even though such resident child has no license, provided that not more than two such resident children shall accompany such person holding a valid license, but no child, either resident or non-resident shall take any big game without first obtaining a license as herein provided. (Am. Ch. 97, L. '31; Am. Ch. 93; L. '33; Am. Ch. 44, L. '35.) ['36 Supplement § 1554.]

Section 26

REPORT OF LICENSING OFFICER

On the thirty-first day of December of each year, each officer authorized to issue licenses shall detach the stubs of licenses issued and forward the same, securely attached to a report of the number issued and the amount of license money received, to the commission and at the same time shall return to the commission all such stubs and reports and unused licenses

with a final report recapitulating and tabulating the total number of licenses of all kinds issued by such officer. The commission shall enforce the making of such return, and any person failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor. ['36 Supplement § 1555.]

Section 27

GUIDES; LICENSES; FEES; REPORTS

No person shall directly or indirectly engage or act as a guide, as the term is generally understood, for any person hunting game, predatory animals, or any other animals, in this state without having satisfied the commission of his reliability and having procured from the commission, upon the payment of ten dollars, a license authorizing him to act as a guide, which license must be carried on his person while he is so acting as a guide. No guide license shall be granted, except to a citizen of the United States and a bona-fide resident of this state, twenty-one years of age or over. Such license shall expire on the thirty-first day of December succeeding its issuance. Each licensed guide shall act without pay as a deputy game and

fish warden, with the powers and duties of a deputy game and fish warden. If a licensed guide fail or neglect to enforce the provision of this act, or violate or connive or assist in any violation of this act, his license may be revoked by the commission and he also shall be liable to punishment as for a violation of this act. On the last day of each month, or as requested, each guide shall, on a blank form furnished by the commission, report under oath to the commission the name and address of each person guided by him, number of days he has been so employed by such person, and as nearly as practicable the number of game animals, birds, and fish taken by such person and himself, and such other information as the commission may deem desirable. ['36 Supplement § 1556.]

Section 28

UNLAWFUL TAKING DEVICES PUBLIC NUISANCE

Each net, trap, explosive, poisonous or stupefying substance, or device set, used or intended for use in taking animals, birds, or fish in violation of this act is hereby declared to be a public nuisance, and when found, may be abated and summarily destroyed by any person, and

each officer authorized to enforce this act shall seize and summarily destroy any such device, or such devices as may be retained by the commission, but nothing in this act shall prevent the commission from using proper means for the promotion of game and fish propagation and culture. The commission or its representatives may seize and hold the firearm or other implement of any violator of this act pending his case in court. If the court finds said firearm or implement a nuisance, said firearm or implement may be confiscated and disposed of by the commission. ['36 Supplement § 1556 a.]

Section 29

WILD DEER; BEAR; BAG LIMIT

Any one person may take from October sixteenth to November fifteenth, only one wild male deer having pronghorns. Such wild animal or part thereof, shall not be transported unless it bear evidence from which the sex of the animal may be determined; one grown bear may be taken from October Sixteen to November fifteenth; but no bear cubs shall be taken at any time. (Am. Ch. 93, L. '33). ['36 Supplement § 1556 b.]

Section 30**WILD ELK, ANTELOPE AND
MOUNTAIN SHEEP**

There shall be no open season for wild elk, antelope and mountain sheep but they may be brought into the state for breeding purposes under a permit issued by the commission. A person may bring into the states the carcass of any such animal, or part thereof, legally killed by him outside the state. ['36 Supplement § 1556 c.]

Section 31**TREE SQUIRRELS; RABBITS**

There shall be no open season on Kaibab or white-tailed squirrels, chiricahua squirrels, nor on Arizona tree squirrels in the part of Arizona lying south of the Gila and Salt river base and meridian. A person may take not to exceed six spruce squirrels, Abert Squirrels, or tasseleare-d gray squirrels, (except Kaibab squirrels) in any one day between October sixteenth and November fifteenth. The season and bag limit on cotton tail rabbits shall be set by the commission. Any person except minors under the age of sixteen years, taking rabbits must possess a pro-

per and valid license therefor; provided however, that a farmer may take rabbits on his own land without license and at any time and in any number if these animals are working damages to his crops or trees. (Am. Ch. 97, L. '31; Am. Ch. 93, L. '33.) ['36 Supplement § 1556 d.]

Section 32

BEAVER; CLOSED SEASON; PERMITS

There shall be no open season for beaver but the commission may issue permits to owners or lessees of land for the capture of such beaver as it determines are interfering with the operation of any lawful canal, ditch, or dam, or are causing or threatening the destruction of private property, but the person so authorized to take beaver shall promptly turn in all skins of beaver so taken to the commission, which may sell such skins and the proceeds shall be paid to the state treasurer to be deposited to the credit of the state game and fish protection fund. Where deemed advisable, such beaver may be removed by the commission to another locality. ['36 Supplement § 1556 e.]

Section 33

OPEN SEASON OF OTHER FUR-BEARING PREDATORY AND NON-GAME ANIMALS

Muskrats, raccoons, opossums, and otters may be taken in any number with a gun or a trap from November first to March first and such animals legally taken, and parts thereof, may be possessed, transported, bought and sold at any time, in accordance with this act. Predatory and non game animals may be taken in any number and manner and be possessed, bought, sold and transported at any time. ['36 Supplement § 1556 f.]

Section 34

GAME BIRDS; OPEN SEASON; LIMIT

Wild turkey may be taken from October sixteenth to November fifteenth, not more than two during one season by one person. Gambel and scaled quail may be taken from November first to December thirty-first. It shall be unlawful for a person to take or have in his possession in any one day more than fifteen quail in the aggregate. Bobwhite, mearns (or fool) quail may not be taken at any time. White wings may be taken from July fifteenth to

August thirty-first and mourning doves may be taken from September first to December fifteenth; bag limit, whitewings and mourning doves, twenty per day in the aggregate. Migratory water fowl may be taken from October sixteenth to January thirty-first; bag limit, wild ducks, fifteen birds in any one day or in possession, brant or geese, two birds in one day or in possession. Plovers, curlews, coots, and yellowlegs and snipe October sixteenth to November thirtieth; bag limit, fifteen in the aggregate or in possession. It shall be unlawful to hunt, kill, take, injure, destroy, or have in possession any other migratory birds except as herein provided, or as prescribed by regulations which the commission is authorized and directed from time to time to make and which do not conflict with the laws of the United States relating to migratory birds, and the rules and regulations issued from time to time thereunder. Any violation of such laws or rules and regulations issued thereunder, shall be deemed a violation of this act. (Am. Ch. 97, L. '31). ['36 Supplement § 1556 g.]

Note: Federal laws governing open season and bag limits on migratory birds and water

fowl take precedence over state laws. The seasons above given on migratory birds and waterfowl are subject to change each year under the Migratory Bird Treaty Act.

Refer to summary of open seasons and bag limits on page. 3.

Section 35

CERTAIN NON-GAME BIRDS UNPROTECTED

English sparrows, crows, hawks, great horned owls, kingfishers, magpies and jays, chaparral cocks and their nests and eggs may be taken in any manner and number and may be possessed, bought, sold or transported at any time. Any bird, except game birds, song birds or insectivorous birds may be taken when caught in the act of destroying domestic live stock, poultry, game, other protected birds, their nests or young, or fish. ['36 Supplement § 1556 h.]

Section 36

FISH; TAKING SEASON; LIMIT

Trout of all kinds may be taken from June first to September thirtieth; bag limit, twenty individual fish, or fifteen pounds of fish and

one fish in one day or in possession at one time. All other kinds of fish may be taken from January first to December thirty-first; bag limit, thirty individual fish, or not to exceed twenty-five pounds and one fish in one day, or in possession at one time, including all kinds except trout. No game fish less than seven inches long may be taken. The season and bag limit on the wild bullfrog shall be set by the commission. (Am. Ch. 93, L. '33). ['36 Supplement § 1556 i.]

Note: By Commission Orders certain regulations on bag limits of fish have been made which take precedence over those above given. See summary of open seasons and bag limits on page —.

Section 37

POLLUTING STREAMS PROHIBITED

No person shall throw or allow to run into any waters, either private or public, any sawdust, lime, or any other substance that will injure or destroy fish or drive them from any such waters. ['36 Supplement § 1556 j.]

Section 38**FISH SCREENS**

It shall be the duty of the owner or owners of any canal or ditch into which any portion of waters of any stream containing fish is diverted for the purpose of irrigation, or any other purpose (which consumes such water) to construct and maintain at the head of such canal or ditch a paddle wheel or wheels, screens, or other device, as may be directed by the state game and fish commission, which device shall be maintained during such portion of each year as such waters are so diverted for irrigation or other purposes. [’36 Supplement § 1556 k.]

Section 39**DISPOSITION OF SEIZED ANIMALS,
BIRDS, FISH AND FIREARMS**

The edible portions of all game animals, game birds and fish seized under the provisions of this act shall be disposed of by the commission to charitable institutions. Non-game birds and the plumes or skins of game birds of foreign species shall be disposed of by the game warden by gift to scientific institutions, or may be kept by the commission for scientific or educational

purposes, or may be destroyed.

A receipt shall be taken from the donee and a record of such gifts kept by the commission. The head, antlers, horns, hide, skin, feet, or parts of any game animals, other than the edible portions thereof, or firearms, implement or other article seized under this act, may after judgment, or if the person offending can not be ascertained then without judgment, be sold by the warden at public auction to the highest bidder after notice by publication at least once in a newspaper of general circulation in the county where such sale is to be held, the date of the sale to be not less than five nor more than thirty days after the last day of such publication. If the property seized is perishable, it may be sold before conviction and after such notice by posting or publication as the game warden may determine. The purchaser may possess the same without thereby offending this act. The money obtained from the sale of such property shall be paid to the state treasurer to the credit of the state game and fish protection fund; if the property be perishable and sold before conviction the money may first be deposited in court and upon conviction, or if the person offending cannot be ascertained, paid to

the state treasurer. The state game and fish warden and each deputy shall make full and complete report to the commission of all property by him seized, showing a description of the property, the person from whom it was seized, the price received therefor upon public sale, and the disposition of the money. The commission shall keep a record thereof. ['36 Supplement § 1556 l.]

Section 40

PERMIT TO CAPTURE OR DESTROY ANIMALS INJURIOUS TO PROPERTY; FOR SCIENTIFIC OR BREEDING PURPOSES

The commission may issue permits to kill or capture alive any species of animals or birds which are seriously injurious to agricultural or other interests in any particular community. If captured they may be placed in other sections of the state for restocking purposes, or may be disposed of as the commission may determine; such permit shall expire and be void thirty days after date of issuance. The commission may also issue a permit, revocable at pleasure, to any person to collect and possess wild animals or wild birds, or birds' nests or eggs, for

scientific propagation, or exhibition purposes. The applicant for a permit for scientific purposes must file written testimonials from two well known ornithologists or zoologists, and pay the sum of one dollar for the permit, but duly accredited representatives of public educational or scientific institutions, or governmental departments of the United States engaged in the scientific study of birds and animals may be granted such a permit without endorsement or charge. A scientific permittee shall not be required to obtain a hunting license for taking birds or animals for scientific purposes.

A person holding a permit issued pursuant to this section may buy, sell, possess, and transport, for scientific purposes, animals, and birds legally taken, and sell them alive for propagation to a person holding such a permit. When transported, said specimens, or the package in which the same are transported, shall have clearly and conspicuously marked on the outside the name and address of the consignor and consignee, an accurate statement of the contents, and that such specimens are for scientific or propagation purposes. Each person receiving a permit under this section must file

with the commission within fifteen days after the expiration of his permit, a report of his activities under the permit, which report shall set forth the name and address of the permittee, number of his permit, number of specimens of each specie taken thereunder, or otherwise acquired, disposition of the same, names and addresses of persons acquiring the same from the permittee, the number of each species reared in captivity and the number on hand for propagation purposes at the expiration of the permit.

The commission may also issue a license to game and fish breeders, and the game and fish artificially propagated by such licensee may be possessed, bought and sold under such regulations as the commission may prescribe.

The commission is hereby authorized to prescribe from time to time rules and regulations governing the possession, sale and transportation of animals and birds for propagation purposes raised in captivity under this act. (Am. Ch. 56, L. '39.) ['36 Supplement § 1556 m.]

Section 41**DUTIES OF SHERIFFS AND OTHER
PEACE OFFICERS; REWARD**

All county, city and town peace officers are hereby made ex-officio special deputy game and fish wardens and shall aid in the enforcement of this act. Any other person shall receive the sum of ten dollars in any action involving a violation of this act, in which he may secure the evidence upon which the conviction was obtained, to be assessed against the defendant as costs; if no conviction is procured, no fees shall be taxed against the state or county. If the costs are not paid by a defendant, the ten dollars shall be paid out of the state game and fish protection fund. ['36 Supplement § 1556 n.]

Section 42**COUNTY ATTORNEY; DUTIES**

Each county attorney shall prosecute and defend, for the state, in all courts of the county, all actions, criminal or civil arising under this act in which the state or an officer of the commission may be a party or may be interested. ['36 Supplement § 1556 o.]

Section 43**IMMUNITY OF WITNESSES**

No person called upon by the state to testify as a witness in any action brought under this act, shall be excused or exempted from so testifying or from producing documentary evidence on the ground that such testimony or evidence might incriminate him, but such person shall not thereafter be prosecuted for any offense concerning which he is called upon to give such testimony or evidence. ['36 Supplement § 1556 p.]

Section 44**STATE GAME AND FISH FUND**

The commission shall on or before the last Tuesday of each month, pay to the state treasurer all money received by it from licenses or from any other source under this act, and the state treasurer shall deposit such money in a special fund to be known as the state game and fish protection fund, which is hereby set aside, appropriated, and made available to the commission in carrying out the provisions of this act, and such fund shall be used for no other

purpose. Warrants shall be drawn on said fund as other state charges are paid. ['36 Supplement § 1556 q.]

Section 45

FINES; REPORTS OF STATE TREASURER AND JUSTICES OF THE PEACE

All fines or penalties collected for violations of this act shall be immediately paid by the officer collecting or receiving the same to the state treasurer, who shall credit such money to the game and fish protection fund. The state treasurer shall render a monthly statement to the commission on or before the tenth of each month, showing all money received and paid by him during the preceding month under this act. Each justice of the peace and each clerk of the court of record, shall within twenty days after a judgment has been rendered under this act, report in writing to the commission the results of the prosecution, the amount of fines or penalties collected, if any, and the disposition thereof. ['36 Supplement § 1556 r.]

Section 46

PENALTIES

Unless a different or other penalty or punish-

ment is herein specifically prescribed a person who violates any provision of this act, or who violates or fails to comply with any lawful order, rule, or regulation adopted by the commission is guilty of a misdemeanor, and in addition thereto, is liable to an additional penalty of twenty-five dollars for each animal, bird, or fish or part thereof, or each nest or egg of any bird bought, sold, offered for sale, taken, possessed, or transported, in violation of this act.

Any person who takes, possesses, transports, buys, sells, or offers for sale, any deer, elk, antelope, beaver, bear, mountain sheep, or peccary or javelina, or any part of any such animal, in violation of this act, or any lawful rule or regulation of the commission, or who detaches or removes from the carcass of any such animal, a portion thereof and thereby removes or conceals evidence of sex, or legality, or who shall use any explosive compound or any corrosive or narcotic poison or other deleterious substances for the purpose of catching, stunning, or killing fish, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars nor more than three hundred dol-

lars, or by imprisonment in the county jail for not less than three months nor more than six months, or by both such fine and imprisonment; and in addition thereto, is liable to an additional penalty of fifty dollars for each animal or part thereof, or fish, taken, destroyed, possessed, transported, bought, sold, or offered for sale in violation of this act.

Any public officer who fails to perform any duty imposed by any of the provisions of this act, or any lawful rule or regulation of the commission, is guilty of a misdemeanor.

Any person having knowledge of any violations of the provisions of this act, and failing to report same to proper authorities; or who takes or destroys any animal, bird, or fish, or bird's nest or egg, or eggs or spawn of fish in violation of this act on any refuge, sanctuary, rest ground or area established by order of the commission and contrary to such order; or who while hunting, trapping, or fishing, wilfully or without cause or reason destroys, injures, or molests any livestock, growing crops, or other improvements; or who without permission of the owner or resident, shoots or attempts to shoot or otherwise take any game within one eighth

mile of any farm house or other residence or cabin, lodge, or building; or who takes any game bird, except by permission granted by the state game warden, game fish or game animal, and wilfully leaves such bird, animal, or fish or any edible portion of same, to go to waste, or who uses more than once any shipping permit or coupon issued by the commission, is guilty of a misdemeanor.

In addition to other penalties, prescribed by this act, the game warden may revoke a license issued to any person under this act and deny him the right to secure another license or to hunt, fish, or trap anywhere in this state, with or without a license, for a period of from one to five years, if said licensee or person has either been convicted or has signed an acknowledgement of violating any provision of this act, or of any lawful rule or regulation of the commission, or if such licensee or person has been convicted in any court of having destroyed or carried away notices posted by the commission or personal property, or crops of any kind on or from the premises on which he may have been hunting, fishing, or trapping, or attempting to take any wild animal, birds, or fish, or

has been convicted of being careless in the use of firearms while hunting and hereby caused an injury to human life or livestock or has been convicted of causing forest fires or being intoxicated while using firearms for the purpose of hunting. The license of any person convicted of a second or subsequent violation of this act shall be revoked by the commission herein provided, and such person is hereby denied the right to secure a license or to hunt, fish, or trap, anywhere in this state with or without a license for a period of not less than two nor more than ten years from the date of such conviction. To deny any person the right to secure a license or to hunt, fish, or trap anywhere in this state for any period, the commission shall send a written notice to that effect by registered mail or by having it delivered in to such person at his last known address, either person by a representative of the commission. The commission shall furnish in writing, to the officers or persons authorized to issue licenses the name and address of such person and the term for which he has been denied the right to secure a license, or to hunt, fish, or trap in this state, together with any other information the

commission may deem necessary. (Am. Ch. 97, L. '31.) ['36 Supplement § 1556 s.]

Section 47

REPEAL; TRANSFER OF PRESENT FUNDS

All laws in conflict or inconsistent with the provisions of this act, including Chapter 30 of the Revised Code of 1928, are hereby repealed. All money and property now appropriated, set aside or available to the present state game and fish warden are appropriated, set aside and made available to the Arizona game and fish commission by this act created and the state treasurer shall transfer all such money to the state game and fish protection fund. ['36 Supplement § 1556 t.]

CHAPTER 3

SENATE BILL NO 48

AN ACT RELATING TO VISITORS' SPECIAL FISHING

Relating to Visitors' Special Fishing License,
And Declaring an Emergency.

Be It Enacted by the Legislature of the State
Of Arizona

Section 1**VISITORS' SPECIAL FISHING LICENSE**

In addition to the classes of fishing licenses now provided for by law there shall be a "visitors' special fishing license". Such license shall be issued only to non-residents of the state of Arizona and shall only entitle the holder thereof to fish in and upon water which constitute the state boundary line of the state of Arizona. Such license shall be valid for a period of fifteen days only from the date of its issuance. The fee for such license shall be one dollar.

CHAPTER 51**HOUSE BILL NO. 119****AN ACT**

Relating to wild life, empowering the Arizona Game and Fish Commission to cooperate with the Secretary of Agriculture in the establishment, maintenance, and completion of wildlife-restoration projects, and declaring an emergency.

**Be It Enacted by the Legislature of the State
Of Arizona**

Section 1**DEFINITIONS.**

In this act, unless the context otherwise requires:

“Commission” means the Arizona game and fish commission;

“Secretary” means the secretary of agriculture of the United States;

“Wildlife-restoration act of congress” means chapter 899, first session, seventy-fifth congress, approved September 2, 1937, commonly known as the Pittman-Robertson federal aid in wildlife-restoration act, and includes the rules and regulations issued by the secretary pursuant thereto;

“Wildlife-restoration project” or “project” means a project for the selection, restoration, rehabilitation, or improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife other than fish, and includes acquisition by purchase, condemnation, lease, or gift of such property or interests therein as may be suitable or capable of being made suitable therefor and the construction of such works as may be necessary for such purposes, such research into problems of wildlife

management as may be necessary to efficient administration of wildlife resources, and such preliminary or incidental expenses as may be incurred in and about such project.

Section 2

ACCEPTANCE OF ACT

This state accepts the benefits extended by the wildlife-restoration act of congress, and agrees to comply with the provisions thereof and the rules and regulations issued by the secretary of agriculture of the United States pursuant thereto, in any year in which benefits are apportioned and paid to this state thereunder. The Arizona game and fish commission shall be the agency of the state for the purpose of this act.

Section 3

WILDLIFE-RESTORATION PROJECTS

The commission shall have power to cooperate and enter into agreements with the secretary for the establishment, maintenance, and completion of wildlife-restoration projects, pursuant to the wildlife-restoration act of congress. In the initiation and carrying on of the work

of any project, the commission shall comply with the provisions of said act. Every project initiated under the provisions of this act shall be under the supervision of the commission.

Section 4

ACQUISITION OF LANDS

The commission, in the name of the state and with the approval of the governor, shall have power to acquire, by purchase, lease, or gift, either for cash or upon installments, such lands or other property, or interests therein, as may be necessary for the purpose of carrying on any wildlife-restoration project pursuant to an agreement entered into between the commission and the secretary.

Section 5

LICENSE FEES

All moneys received from hunting licenses shall be deposited in the state game and fish protection fund, and no part thereof shall be diverted or appropriated for any purpose other than the uses of the commission.

Section 6**FINANCIAL PROVISIONS**

(a) In the event the commission desires to avail itself of moneys apportioned to this state for any fiscal year pursuant to the wildlife-restoration act of congress, it shall notify the secretary to that effect, not later than sixty days after receipt of certification by the secretary of the estimated amount, to be apportioned to this state for such year.

(b) Upon receipt of final certification by the secretary of the amount apportioned to this state for any fiscal year pursuant to the wildlife-restoration act of congress, the state treasurer shall transfer this state's one-third share of the amount so apportioned from any moneys appropriated by the state for the specific purpose of carrying out the provisions of this act to the wildlife-restoration account in the state game and fish protection fund. Moneys received from the federal aid to wildlife-restoration fund of the United States established and maintained pursuant to the wildlife-restoration act of congress, shall be deposited in said wildlife-restoration account. Claims against said account shall be made and paid in the manner

provided by law for payment of claims against the state game and fish protection fund.

(c) Moneys in the wildlife-restoration account of the state game and fish protection fund shall be expended solely for work allowable under the provisions of the wildlife-restoration act of congress, and for which the secretary agrees to contribute seventy-five per cent of the cost from the federal aid to wildlife-restoration fund. In carrying on the preliminary work required to secure the approval of any wildlife-restoration project by the secretary, or in carrying on the work of any approved project prior to the time moneys have been received therefor from the federal aid to wildlife-restoration fund, the commission shall have power to expend moneys in the state game and fish protection fund, to the extent necessary to secure such approval or to carry on the work of such approved project. Thereafter, upon receipt of moneys from the federal aid to wildlife-restoration fund for expenditure on such project, the commission shall promptly cause the state game and fish protection fund to be reimbursed for the amounts so expended, from this state's moneys in the wildlife-restoration account, to the extent of not more than one-third of the

amount received from the United States to be expended on such project.

(a) Any moneys appropriated by the state and remaining in the wildlife-restoration account of the state game and fish protection fund at the end of the fiscal year following the fiscal year in which said moneys were credited thereto by the state treasurer, and which have not theretofore been pledged for the use of any wildlife-restoration project pursuant to an agreement entered into between the commission and the secretary, shall revert to the general fund.

Section 7

APPROPRIATION

An amount equal to one-third of the amount apportioned to this state for the twenty-seventh fiscal year, namely six thousand two hundred three dollars eighty-nine cents and for the twenty-eighth and twenty-ninth fiscal years, not to exceed twenty-thousand dollars per year, is appropriated to the Arizona game and fish commission for the purpose of carrying out the provisions of this act.

Section 8

EMERGENCY

To preserve the public peace, health, and

safety it is necessary that this act shall become immediately operative. It is therefore declared to be an emergency measure, and shall take effect upon its passage in the manner provided by law.

Approved March 10, 1939.

CHAPTER 58

ARTICLE 13

Section 2590

TAXIDERMY

LICENSE FROM STATE GAME WARDEN; FEE

It shall be unlawful for any person to engage in the business of a taxidermist, to prepare or mount the skins or dead bodies of any animals of this state for profit, unless such person shall first obtain a license from the state game warden, which may be granted to any person in the discretion of the warden upon the payment to the said warden of five dollars, which shall expire on the thirty-first day of December of the year in which it is issued. (Par. 1, Ch. 138, L. '19, rev.)

Section 2591

**REGISTER OF ALL WORK DONE;
PERMIT TAG; VIOLATION; PENALTY**

A taxidermist mounting or preparing specimens of animals, birds or fish shall attach his permit number to the specimen, such tag to be furnished by the warden, and shall keep a register of the names of all persons who furnish the raw or unmounted specimens, and of the species of bird or animal received, and when and where killed. He shall exhibit such register, together with all the unmounted skins in his possession, to any game warden or officer charged with the enforcement of the game laws, upon request. A taxidermist violating any provisions of this article shall be guilty of a misdemeanor, and his license shall be revoked by the state game warden. (Pars. 2-3-4, id., cons. & rev.)

ADDITIONAL INFORMATION**Com. Order No. 10**

Personal use non-game minnow seining permit is \$1.00. Commercial use non-game minnow seining permit is \$5.00.

Com. Order No. 18

Game and Fish Farm Regulations; The State Game Warden is authorized to issue permits for the establishment of game and fish farms under such regulations as the Arizona Game and Fish Commission may issue from time to time.

Any person, persons, firm or corporation desiring to enter the business of rearing and propagating game animals, game birds, or game fish on property, owned, leased or under their control in the State of Arizona may make such application to the Arizona Game and Fish Commission for such permit stating the exact location and kind of farm desired. Upon approval of such application the Arizona Game and Fish Commission will issue a permit the charge for which shall be Five Dollars (\$5.00) per annum.

Each game animal, bird or fish so reared in captivity must be tagged or marked under the supervision of the Arizona Game and Fish Commission and in such manner as the Commission may direct.

Any game animal, game bird, eggs or game fish transported, sold, or offered for sale, shall be marked with the brand required by the Commission and any person operating such farm shall make a report within five days to the

Commission of such transaction. Such report shall contain the name of the person making such transaction, the number and kind of game animal, game bird, eggs, or game fish disposed of and the name and address of the party to whom the sale was made, such report blanks to be furnished by the Arizona Game and Fish Commission to the breeder.

Any person or persons found violating a provision of the above regulations shall be subject to the revocation of his permit to operate such farm.

Com. Order No. A-174

November 15, 1934

On motion made and seconded, all permits to date which have been issued granting lessees of State land the privilege of posting such land are hereby ordered revoked. It is further ordered that any permits issued in the future for the posting of State leased land be made to include only the area within a radius of one-half mile from the dwelling house of the applicant and to include any water holes on the applicant's State leased land for a distance of one-half mile around such water holes, providing such water holes are permanent.

A general permit is now and hereby granted to all State land lessees to post areas around the dwelling places and water holes in accordance with the foregoing and without the necessity of making formal applications therefor.

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